

Introduced by Senator McPherson

January 26, 1999

An act to add Section 6272 to the Harbors and Navigation Code, relating to the Santa Cruz Port District.

LEGISLATIVE COUNSEL'S DIGEST

SB 242, as introduced, McPherson. Santa Cruz Port District: lease.

Existing law prohibits boards of port commissioners from granting a franchise or leasing property for a period longer than 50 years.

This bill, notwithstanding that provision, would authorize the board of port commissioners of the Santa Cruz Port District, without inviting public bids, to extend the lease it entered into in 1966 with the Crow's Nest if the number of years remaining in the lease on January 1, 2000, plus the number of years by which the lease is extended, does not exceed 50 years and as long as the district complies with statutory requirements applicable to port districts regarding leasing of property of the district.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of
2 the following:

1 (a) The Crow's Nest is a tenant of the Santa Cruz Port
2 District under a lease that originated in 1966 and expires
3 in 2013.

4 (b) Under the terms of the lease, the port district is
5 responsible for performing a significant amount of costly
6 deferred maintenance.

7 (c) The port district recognizes that the Crow's Nest
8 has been a good tenant, and as an incentive for the Crow's
9 Nest to improve and renovate the property and to
10 continue its tenancy, and in consideration for the Crow's
11 Nest agreement to assume the obligation to perform
12 deferred maintenance, the port district seeks
13 authorization to grant the Crow's Nest five additional
14 five-year options.

15 SEC. 2. Section 6272 is added to the Harbors and
16 Navigation Code, to read:

17 6272. Notwithstanding Section 6271, the board of port
18 commissioners of the Santa Cruz Port District, without
19 inviting public bids, may extend the lease it entered into
20 in 1966 with the Crow's Nest if both of the following
21 conditions are met:

22 (a) The number of years remaining in the lease on
23 January 1, 2000, plus the number of years by which the
24 lease is extended, does not exceed 50 years.

25 (b) The district complies with Section 6270 and any
26 other statutory requirement applicable to port districts
27 regarding leasing of property of the district.

28 SEC. 3. Due to the unique circumstances concerning
29 the Santa Cruz Port District set forth in Section 1 of this
30 act, the Legislature finds and declares that a general
31 statute cannot be made applicable within the meaning of
32 Section 16 of Article IV of the California Constitution.

